

Attorney Docket No.: 2002-0324A  
Serial No.: 10/070,131  
February 16, 2005

### REMARKS

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

#### **I. EXAMINER INTERVIEW**

Applicants thank Examiner Prouty for the interviews held February 8 and 16, 2005, regarding proposed amendments to the claims. The claims have been amended along the lines suggested by the Examiner during these interviews.

#### **II. CLAIM STATUS & AMENDMENTS**

Claims 1 and 4-9 were pending in this application after the response filed November 16, 2004.

Claim 1 has been amended to include the phrase "wherein the chromophores are capable of exhibiting fluorescence resonance energy transfer (FRET)" as suggested by the Examiner. It is respectfully noted that FRET is an inherent property of the claimed chromophores. Support for this amendment can be found throughout the specification, for example, at page 13, lines 20-21 and in original claim 1. Therefore, no new matter has been added by this amendment.

Claims 6-9 have been canceled without prejudice or disclaimer thereto. Applicants reserve the right to file a continuation or divisional application on any canceled subject matter.

Claims 1, 4 and 5 are now pending.

Attorney Docket No.: 2002-0324A  
Serial No.: 10/070,131  
February 16, 2005

CONCLUSION

Since the claims have been amended along the lines suggested by the Examiner, it is respectfully submitted that the present application is in condition for allowance and early notice to that effect is hereby requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

Yoshio UMEZAWA et al.

By: Jay F. Williams  
Jay F. Williams  
Registration No. 48,036  
for  
Warren M. Cheek, Jr.  
Registration No. 33,367  
Attorney for Applicant

WMC/JFW/ksh  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
February 16, 2005

I, Kelli S. Harris of the law firm Wenderoth, Lind & Ponack, L.L.P., hereby certify that I have today transmitted by facsimile this document, titled Supplemental Amendment and Reply, to Examiner Rebecca E. Prouty, Technology Center 1600, Group Art Unit 1652, of the U.S. Patent and Trademark Office, at facsimile No. 571-273-0937.

Kelli S. Harris  
Kelli S. Harris

February 16, 2005  
Date